

**To: Senate Committee on Utilities, Senator Michael Fagg, Chair**

**From: John Donley, Kansas Farm Bureau**

**Date: February 19, 2024**

**Re: In person testimony in support of SB 457**

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Chairman Fagg and Members of the Committee,

I appreciate the opportunity to provide testimony as a proponent SB 457. My name is John Donley, and I am speaking today on behalf of Kansas Farm Bureau (KFB). KFB is the state's largest general farm organization representing more than 30,000 farm and ranch families through our 105 county Farm Bureau Associations. KFB has a long history of advocacy for the protection of private property rights of individuals. As issues evolve, KFB members review those issue in light of its policies and advocacy role in protecting the private property rights of our members.

Last year, KFB through its regional listening tours and state policy development process examined energy issues including the expansion of renewable energy developments and transmission lines in Kansas. The review focused on how new developments may affect the private property rights of individuals. During the 2023 annual meeting, Kansas Farm Bureau members adopted a policy opposing the use of eminent domain for the acquisition of rights in land for wind, solar, CO2 and hydrogen energy projects and facilities.

Building on KFB history and advocacy work, we sought the introduction of SB 457 which amends K.S.A 66-104(g). In 2005, KFB joined with the Kansas Livestock Association in passage of the language contained in current law that prohibits a public utility from using the power of eminent domain for the siting or placement of wind powered electrical generators or turbines, including the towers.<sup>1</sup> This language may be found on page 3 line 3 of SB 457. Today, we ask the Committee to pass SB 457 that adds "solar powered electric generation equipment including panels" to this section and limits the use of eminent domain by public utilities.

Thank you for your time and consideration of SB 457.

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<sup>1</sup> See KSA 66-104 (g)

